

IN THE SENATE OF THE UNITED STATES.

MARCH 2, 1860.—Ordered to be printed.

Mr. BAYARD made the following

REPORT.

[To accompany Bill S. 241.]

*The Committee on the Judiciary, to whom was referred the petition of McFarland & Downey, praying that the amount due them for rent of their house in Los Angeles, California, occupied by the United States court from 27th October, 1854, to 5th August, 1856, under contracts with the United States marshal of that district, be paid, have had the same under consideration, and report:*

The petition is founded on certain contracts made by the United States marshal in California with the petitioners, for the rent of premises in Los Angeles for the use of the United States courts in the southern district of California. The amount claimed is four thousand six hundred dollars; but it appears that the alleged contracts were made without authority by the marshal, and impose no legal obligation on the United States.

The premises were, however, occupied by the United States courts from October 27, 1854, to August 5, 1857, and the owners are entitled to a fair and reasonable rent. The Secretary of the Interior having investigated, through a special agent, the question of value, and ascertained that the rent claimed for a portion of the time is extravagantly high, and the whole of the premises, illegally contracted for by the marshal, unnecessary for the accommodation of the court, the committee are of opinion that the justice of the case will be best reached by confiding to that officer the adjustment of the sum which ought to be allowed to the petitioners for the actual occupation of their premises by the United States courts from October 27, 1854, to August 5, 1856.

